

Congress of the United States
Washington, DC 20515

December 23, 2008

The Honorable Barack Obama
President-Elect of the United States
Presidential Transition Team
Washington, DC 20270

Dear Mr. President-Elect:

We understand that the Coalition Against Religious Discrimination (CARD), a broad group of leading religious, civil rights, educational, labor, health, and women's organizations, recently discussed with your Transition Team a draft Executive Order on the ESTABLISHMENT OF COUNCIL ON FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS AND RELATED POLICY for your consideration. We are writing in support of the draft Executive Order and hope that you will choose to implement it as one of your first pieces of business.

We each stand by the principle that faith has a central role in the lives of Americans and American communities, and we also stand by the principle that religious organizations can play a vital and active role in providing Americans with much-needed services within constitutional parameters. We applaud the language used in the 2008 Democratic National Platform:

We honor the central place of faith in our lives. Like our Founders, we believe that our nation, our communities, and our lives are made vastly stronger and richer by faith and the countless acts of justice and mercy it inspires. We believe that change comes not from the top-down, but from the bottom-up, and that few are closer to the people than our churches, synagogues, temples, and mosques. To face today's challenges—from saving our planet to ending poverty—we need all hands on deck. Faith-based groups are not a replacement for government or secular non-profit programs; rather, they are yet another sector working to meet the challenges of the 21st century. We will empower grassroots faith-based and community groups to help meet challenges like poverty, ex-offender reentry, and illiteracy. At the same time, we can ensure that these partnerships do not endanger First Amendment protections – because there is no conflict between supporting faith-based institutions and respecting our Constitution. We will ensure that public funds are not used to proselytize or discriminate. We will also ensure that taxpayer dollars are only used on programs that actually work.

Unfortunately, as you are aware, under the Bush administration there has been a major but quiet campaign under the guise of the Faith Based Initiative to move the line that has separated church and state for almost half a century in a way that permits discrimination with federal funds for the first time in decades. It is shocking that we would even be having a debate about whether basic civil rights practices should apply to programs run with federal dollars. For several decades now until the current administration, when funds raised from all taxpayers are

involved, it has been – and should continue to be – illegal for any sponsors of government funded programs to reject applicants for jobs paid for with taxpayer dollars solely because of their religion, or because of acts or practices contrary to the organizations' religious beliefs. And because the eleven o'clock hour on Sunday continues to be the most segregated hour in America, if we permit discrimination based on religion, it will be impossible to enforce non-discrimination based on race. There is no justification for sponsors of government funded programs to tell job applicants, "we don't hire your kind."

The idea that religious discrimination may take place with federal funds is not speculative. In numerous House of Representative committee and Floor debates, supporters of Charitable Choice have affirmed that a religious organization using federal funds could fire or refuse to hire a perfectly qualified employee solely because of that person's religion. In fact, supporters of Charitable Choice argue that the right to practice employment discrimination is an absolutely essential element of the proposal. Several of these proposals have even passed the House of Representatives. And yet, religious organizations have been receiving federal funds and running successful, federally sponsored social service programs for decades without this so-called essential element.

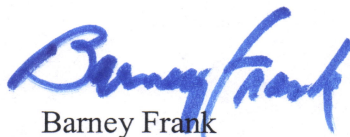
This Congress, for the first time, we were able to defeat an attempt to permit such discrimination when the House of Representatives voted to reauthorize the Head Start program. Still, we anticipate that efforts to promote this discrimination will continue, and that is precisely why the need for this Executive Order is so great.

The start of your administration provides a tremendous opportunity to correct many poor policies enacted under the guise of the Faith-Based Initiative. The Executive Order will not do it alone; a comprehensive effort that includes action by individual agencies needs to be implemented in order to address this issue. However, the Executive Order is an important first step. We hope you will take this opportunity to lay the foundation for how your administration will approach the issue. Signing the Executive Order will reinforce the value of our community groups – including religious organizations – while at the same time recognizing the framework of civil rights that we all hold dear.

Very truly yours,



Chet Edwards



Barney Frank



Robert C. "Bobby" Scott

cc: Melody Barnes
Phil Schiliro
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